

Commissioners,

Planning & Building Services

Thank you for your time and attention to this urgent matter our community faces together. I am a private citizen, a small business owner, a landowner in Redwood Valley, a member of the Redwood Valley Municipal Advisory Council, and a board member at the Economic Development & Financing Corporation of Mendocino County (our county's nonprofit economic development agency). I do not cultivate cannabis or plan to in the future. I have taken it upon myself to listen carefully to the meetings of the Board of Supervisors and the Planning Commission on this matter. I have studied the matter closely. I have spoken with many community members and leaders, and listened to hours and hours of arguments on all sides of the issues involved. This statement reflects only my own point of view.

The Board of Supervisors has (re)engaged you, the Planning Commission, to advise them on this very contentious policy decision of how (and whether) our county should create its own cannabis land use ordinance before the state's deadline of June 30, 2021. If we do not, the state's more rigorous environmental standards will prevail. If we do, we must wend a narrow path between our desire for economic opportunity and our responsibility to protect the environment for ourselves and future generations.

I watched the meetings of the Board of Supervisors and the last Planning Commission hearing on the topic. I felt I was "up to speed" on the issues. However, when I reviewed the redlined Draft Ordinance and Redlined Appendix A posted with the agenda for this hearing, I was surprised. I do not feel that they reflect the content or outcome of the last Board of Supervisors meeting on the topic. Concerned, I reached out to District 1 Supervisor, Glenn McGourty. I do not claim to speak for him, but I clearly felt that he was also surprised by the way staff had summarized the thoughts of the supervisors. I believe the information you have received does not reflect the opinions of the supervisors nor the conflicts that brought the Board to an impasse. I will note these perceived discrepancies as follows:

The "Draft Appendix A (Redline from BOS)" which is attached to your agenda for this meeting shows the following discrepancies from what I understood to be the outcome of the Board of Supervisors meeting on April 27, 2021:

1. No hoop houses, period. Hoop houses made of soft plastic are an environmental travesty. They should not be allowed anywhere. No "grandfathering" of hoop houses. Those that exist should be retired as they are already breaking down into microplastics that will exist in the environment and our wildlife and our bodies forever. The majority of supervisors agreed to this.
2. If we are to allow greenhouses, they should be engineered, highly durable structures made of glass and metal. They should only be allowed on Industrial land or for seedling cultivation with a maximum area to be recommended by staff after research but possibly 1% of maximum grow area.
3. Indoor cultivation is energy intensive and it is a holdover from when the industry had to hide from law enforcement. There is no reason to allow it in our county with our tremendous solar resources.
4. 10% is too much too soon. Keep it at 10,000sf or 22,000sf for now. We can easily expand later.

5. The problem with Administrative Permits is that neighbors are not notified. However, it is my understanding that you could recommend that neighbor notification be required for all permit types including Administrative.

The “Draft Ordinance redline” which is attached to your agenda for this meeting shows these discrepancies from what I understood to be the outcome/impasse of the Board of Supervisors meeting on April 27, 2021:

1. Section 22.18.050, paragraph B3: Water trucking should not be allowed except in emergencies. An emergency shall not include a drought or water shortage. Allowing water trucking until December 31, 2022 was discussed but not agreed to. It is environmentally egregious and should not be allowed at all.
2. Section 22.18.050, paragraph C1: Indoor growing should not be allowed. Mixed light cultivation types should be required to use 100% renewable power—either on-site solar with batteries or 100% renewable power from Sonoma Clean Power.
3. Section 22.18.050, paragraph C2: The language regarding allowed water sources is vague and problematic. Asking applicants how much water they are “intending” or “projecting” to use is not likely to get accurate responses knowing that if they say 1500 gallons per day or more they will have to pay for a hydrological study. The rules also lack clarity about the specific conditions under which a permit would be denied.
4. Section 22.18.070, paragraph D: Drought or water shortage shall not be considered an emergency for the purpose of trucking water.
5. Section 22.18.070, paragraph K: It was agreed that NO cultivation site should involve the coverage of the native soil with base rock or similar medium that makes future cultivation of the site infeasible, not only Medium Mixed-Light.

I request that you consider the following which are my own opinions based on intensive study of the issues:

1. Please recommend that the county do an EIR regardless of whether it is required by the state.
2. No grow bags or imported soil should be allowed. Even in greenhouses, cultivation should be in the ground using native soils.
3. Fences should only be around outdoor cultivation areas and should be wire “field fencing,” not opaque fencing of any type nor chainlink.

Finally, I also wish to speak to the destructive nature of this controversy on our communities. People are already planning referendums to overturn the decisions made. People care deeply about the issues to the point that they are willing to spend their money and their time to challenge the will of their elected officials. I’m sure you understand the imperative that you consider carefully and make your recommends with great wisdom and courage. Whether you are new to the Planning Commission or you have served for years, this moment is certainly one that you and the citizens watching you today will remember for decades. The future of our county passes fleetingly through your hands today. What we need from you is not compromise but rather strength, wisdom and courage.

With great respect and gratitude,

Sattie Clark